Tripp et al. U.S. Serial No. 10/689,856 Filed 10/20/2003 Page 7 of 10

RECEIVED CENTER MAR 2 8 2007

## **REMARKS**

Reexamination and reconsideration in light of the preceding amendments and following remarks is respectfully requested.

## Claim Amendments

Claims 214 - 229 are pending in this application.

Method claims 214, 216, and 218, have been amended supra for the sake of clarity. The claims, as amended, indicate that the compositions as used in the described methods require the presence of the specifically enumerated reduced isoalpha acid (described in paragraph [0076] of the specification as published).

Applicants aver that the amendments to method claims 214, 216, and 218, do not add new subject matter and request entry of the amended claims.

# Claim Rejections - 35 USC § 102

Claims 214 - 221 stand rejected under 35 USC § 102(a) as being anticipated by WO 00/74696. The Applicants respectfully disagree with the Examiner's analysis with respect to the novelty of the compositions used in the methods of the instant case.

The Applicants assert that the claims as amended supra place a requirement that the compositions used in the methods of the invention have a reduced isoalpha acid (hereinafter "RIAA"), i.e., dihydro-isohumulone, dihydro-isocohumulone, or dihydro-isoadhumulone. WO 00/74696 does not teach RIAAs nor suggest their use. The RIAAs, if not produced by direct chemical synthesis, are chemically derived from hops and should not be found in the Chinese medicinal herbs cited in WO 00/74696.

Based on the response presented *supra*, the Applicants respectfully request reconsideration and withdrawal of the rejection under 35 USC § 102(a) of Claims 214 – 221 as to WO 00/74696.

Tripp et al. U.S. Serial No. 10/689,856 Filed 10/20/2003 Page 8 of 10

Claims 214 – 220 stand rejected under 35 USC § 102(b) as being anticipated by Kallimanis US 4,857, 554. The Applicants respectfully disagree with the Examiner's analysis with respect to the novelty of the compositions used in the methods of the instant case.

Kallimanis teaches the use of ursolic acid and oleanolic acid for the treatment of psoriasis. The Applicants maintain that as with WO 00/74696 above, Kallimanis neither teaches nor suggest the use of RIAAs, requisite to the instant invention and that Kallimanis therefore is not anticipatory to the instant invention. The Applicants therefore respectfully request reconsideration and withdrawal of the rejection under 35 USC § 102(b) of Claims 214 – 220 as to Kallimanis.

Claims 214 – 220 stand rejected under 35 USC § 102(e) as being anticipated by Dessen, et al, US 6,801,860. The Applicants respectfully disagree with the Examiner's analysis with respect to the novelty of the compositions used in the methods of the instant case.

Dessen teaches the use of ursolic acid for the treatment of psoriasis. The Applicants maintain that as with WO 00/74696 and Kallimanis above, Dessen neither teaches nor suggest the use of RIAAs, requisite to the instant invention and that Dessen therefore is not anticipatory to the instant invention. The Applicants therefore respectfully request reconsideration and withdrawal of the rejection under 35 USC § 102(e) of Claims 214 – 220 as to Dessen.

#### Claim Rejections – 35 USC § 103

Claims 214 – 221 stand rejected under 35 USC § 103(a) as being unpatentable over Dessen, et al., or Kallimanis in combination with Schinitsky (US4, 473,551) or Meisner (US 6,440, 465).

Tripp et al. U.S. Serial No. 10/689,856 Filed 10/20/2003 Page 9 of 10

The Examiner cites both Kallimanis and Dessen, et al., for the teaching of ursolic acid for the treatment of psoriasis. The Examiner additionally cites both Schinitsky and Meisner as teaching the use of glucosamine for the treatment of psoriasis. Under the Examiner's analysis combinations of Kallimanis or Dessen with either Schinitsky or Meisner make the instant invention obvious. The Applicants respectfully disagree with the Examiner's analysis.

As stated previously, neither Kallimanis nor Dessen, et al., teach the use of RIAAs, requisite to the instant invention. Neither Schinitsky nor Meisner cure this defect. The Applicants maintain that Schinitsky or Meisner cannot be combined with Kallimanis or Dessen, et al., to produce the instant invention. In both instances, neither Schinitsky nor Meisner teach or suggest the use of the requisite RIAAs necessary to produce the instant invention. As such, the Applicants therefore respectfully request reconsideration and withdrawal of the rejection under 55 USC § 103(a) of the invention being unpatentable over Dessen, et al., or Kallimanis in combination with Schinitsky (US4, 473,551) or Meisner (US 6,440, 465).

Tripp et al. U.S. Serial No. 10/689,856 Filed 10/20/2003 Page 10 of 10 RECEIVED
CENTRAL FAX CENTER
MAR 2 8 2007

## CONCLUSION

It is submitted that the amended claims are patentable over the teachings of the prior art relied upon by the Examiner. Accordingly, favorable reconsideration of the claims is requested in light of the preceding amendments and remarks. Allowance of the claims is courteously solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's agent at the telephone number shown below.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-1133.

Respectfully submitted,

Dated: March 28, 2007

Atabak R. Royaec, Reg. No. 59,037
McDERMOTT WILL & EMERY LLP

28 State Street

Boston, Massachusetts 02109 Telephone: (617) 535-4108 Facsimile: (617) 535-3800

BST99 1536104-1,068911.0060